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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,550	02/15/2002	John C. Eidson	10003680	3283

7590 09/18/2003

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P.O. Box 7599  
Loveland, CO 80537-0599

EXAMINER .

LE, TOAN M

ART UNIT PAPER NUMBER .

2863

DATE MAILED: 09/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/077,550

Applicant(s)

EIDSON, JOHN C.

Examiner

Toan M Le

Art Unit

2863

14

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Eidson et al..

Referring to claim 1, Eidson et al. disclose an instrumentation system, comprising: a set of instruments 55/56 (figure 2) each having a clock 57/67 (figure 2) and an event buffer 59/69 periodically logging a data record each data record comprising a set of measurement data and a time-stamp obtained from the corresponding clock (col. 5, lines 7-14); means for maintaining a synchronized time in the clocks (col. 5, lines 36-38; figure 2); means for stopping the logging in the event buffers in response to an event of interest (col. 4, lines 65-67; col. 5, lines 1-6); means for correlating the data records in the event buffers in response to a time-stamp associated with the event of interest (col. 4, lines 6-8; col. 7, lines 3-6).

As to claims 2, 8, and 14, Eidson et al. disclose an instrumentation system and a method for time correlation of measurement in an instrumentation system (col. 7, lines 3-6), wherein the event buffers are circular including a last set of x obtained measurements (col. 4, lines 21-25; col. 8, lines 11-15).

Referring to claims 3,9, and 15, Eidson et al. disclose an instrumentation system and a method for time correlation of measurement in an instrumentation system (col. 7, lines 3-6),

wherein each event buffer logs the data records according to a corresponding predetermined sample interval which is derived from the corresponding clock (col. 5, lines 28-31).

As to claims 4 and 10, Eidson et al. disclose an instrumentation system, wherein the means for stopping the logging in the event buffers includes means for providing an event trigger to the instruments such that each event buffer stops logging in response to the event trigger (col. 4, lines 65-67; col. 5, lines 1-6).

Referring to claims 5, 11, and 16, Eidson et al. disclose an instrumentation system and a method for time correlation of measurement in an instrumentation system (col. 7, lines 3-6), wherein the means for correlating the data records in the event buffers includes means for correlating the data records in response to a time-stamp for the event of interest (Abstract, lines 9-10; col. 5, lines 12-14).

As to claims 6, 12, and 17, Eidson et al. disclose an instrumentation system and a method for time correlation of measurement in an instrumentation system (col. 7, lines 3-6), wherein a subset of the instruments include means for obtaining the time-stamp for the event of interest via a communication network (col. 5, lines 22-27; figure 2).

Referring to claim 7, Eidson et al. disclose an instrument, comprising: clock 57 (figure 2); event buffer 59 (figure 2) for periodically logging a data record each data record comprising a set of measurement data and a time-stamp obtained from the clock (col. 5, lines 7-14); means for maintaining a synchronized time in the clock (col. 5, lines 36-38; figure 2); means for stopping the logging in the event buffer in response to an event of interest (col. 4, lines 65-67; col. 5, lines 1-6); means for correlating the data records in the event buffer in response to a time-stamp associated with the event of interest (col. 4, lines 6-8; col. 7, lines 3-6).

As to claim 13, Eidson et al. disclose a method for time correlation of measurement in an instrumentation system (col. 7, lines 3-6), comprising the steps of: providing each of a set of instruments in the instrumentation system with a synchronized time base (col. 5, lines 36-38; figure 2); periodically logging a data record each comprising a set of measurement data and a time-stamp obtained using the synchronized time base (col. 5, lines 7-14); stopping the logging of the data records in response to an event of interest (col. 4, lines 65-67; col. 5, lines 1-6); correlating the data records in response to a time-stamp associated with the event of interest (col. 4, lines 6-8; col. 7, lines 3-6).

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,539,341 to Li et al.

U.S. Patent No. 5,471,631 to Beardsley et al.

U.S. Patent No. 5,566,180 to Eidson et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan M Le whose telephone number is (703) 305-4016. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (703) 308-3126. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4900


Application/Control Number: 10/077,550

Page 5

Art Unit: 2863

Toan Le

August 27, 2003

  
John Barlow  
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